

Application Serial No: 10/067,218
Attorney Docket No.: 51995 (ACT-214)

REMARKS

Re-examination and reconsideration of the subject matter identified in caption, in light of the remarks which follow are respectfully requested.

As noted in the Office Action Summary, claims 1-36 are pending in the application. Of these, allowable subject matter has been indicated with respect to claims 4, 5, 19-22, 24, 28-31, 34 and 35.

Claims 1-3, 6-10, 12-14, 23 and 25-31 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by *Tabuchi* (U.S. Patent No. 5,611,006). In addition, claim 11 stands rejected under 35 U.S.C. §103(a) as being obvious over *Tabuchi*. These rejections are respectfully traversed for the following reasons.

Applicants submit that *Tabuchi* does not disclose or fairly suggest first and second wet-etched groove sections each having a sidewall that intersects a respective side of the pit at a non-orthogonal angle relative to a longitudinal axis of the respective groove section, as recited in claim 1. Nor does that document disclose or fairly suggest a side of each dry-etched pit intersecting a respective sidewall of an adjoining wet-etched section at a non-orthogonal angle relative to the longitudinal axis of the respective wet-etched section, as set forth in independent claim 23.

The Office's position with respect to these claim features has been clearly set forth on pages 4-6 of the Official Action. In this regard, the Office has provided a marked-up version of Figure 12A of *Tabuchi*, illustrating what the Office purports to be the presently claimed non-orthogonal angle. The angle selected by the Office is not, however, an angle where the groove sidewall intersects a respective side of the pit relative to a longitudinal axis of the groove section. Rather, the angle formed between the intersection of that groove's sidewall and pit is orthogonal, not non-orthogonal, relative to the longitudinal axis of the groove section. Accordingly, withdrawal of the §102 and §103 rejections based on *Tabuchi* is in order.

Claims 15-18, 23, 25-27, 32, 33 and 36 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by *Nakanishi et al* (U.S. Patent No. 6,257,772). This rejection is respectfully traversed for the following reasons.

Nakanishi does not disclose or suggest each feature of applicant's invention. For example, *Nakanishi* does not disclose or fairly suggest the non-orthogonal angle as

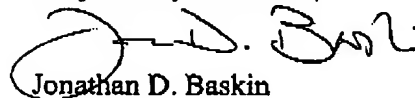
Application Serial No: 10/067,218
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recited in independent claims 15 and 23. The Office has provided a marked-up version of Figure 10 of *Nakanishi et al*, illustrating what is alleged to be the presently claimed non-orthogonal angle. As with *Tabuchi*, however, the angle indicated in the Official Action is not one where the groove sidewall intersects a respective side of the pit relative to a longitudinal axis of the groove section. The selected angle formed between the intersection of that groove's sidewall and pit is orthogonal, not non-orthogonal, relative to the longitudinal axis of the groove section. Accordingly, withdrawal of the §102 rejection based on *Nakanishi et al* is in order.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at her earliest convenience.

Respectfully submitted,



Jonathan D. Baskin

Attorney for Applicant
Registration No. 39,499
Telephone No.: (508) 787-4766
Facsimile No.: (508) 787-4730

c/o EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
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